

### REMARKS

Claims 4-11, 14-20 and 22-26 are pending. Applicant notes that the Office Action Summary incorrectly indicates that claims 4-20 are pending. Claim 21 has been canceled without prejudice to or disclaimer of the subject matter of the claim. Claims 1-3, 12 and 13 were previously canceled. Independent claims 4, 11, 18 and 23 have been amended for clarity. Applicant respectfully requests reconsideration of the application in response to the non-final Office Action.

### Information Disclosure Statement

Applicant again respectfully requests that the Examiner consider the two Foreign Patent Documents (EP0996253A2 and WO 00/56055) that were listed on the Form PTO-1449 filed with the Information Disclosure Statement on August 26, 2002. The Examiner initialed the three Non-Patent Literature Documents on July 26, 2003, which were also listed on the Form PTO-1449 filed with the Information Disclosure Statement on August 26, 2002, but did not initial the two aforementioned Foreign Patent Documents.

### Claim Rejections – 35 U.S.C. §103(a)

#### Claims 4-6

Claims 4-6 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,629,127 to Deen et al. ("Deen") in view of U.S. Patent No. 5,857,102 to McChesney et al. ("McChesney"). Applicant traverses the rejection.

At a minimum, Applicant submits that the combination of Deen and McChesney does not teach or suggest "processing at the server the HTTP path name to retrieve the administrative data from the identified container of the server if the HTTP path name includes the identity of the container," as recited in amended independent claim 4.

For example, with respect to FIG. 3, Deen describes using a request analysis tool 22 for allocating processing functions between a web-based, distributed authoring and versioning tool (WebDAV) 16 and an internet server 14. (Deen at col. 9, lines 1-7). In particular, when a request is received from a client 18, the request analysis tool 22 analyzes the request based upon definable criteria (e.g., verb-based, state-based, or source access-based criteria) and sends the request to the appropriate processing entity (i.e., either the WebDAV tool 16 or the internet server 14). (Deen at col. 9, lines 7-11 and lines 35-41, and at col. 10, lines 2-5 and 61-66). Deen also describes mapping a URL or a virtual namespace contained in the client's request to one or more physical locations where requested resources associated with the URL/namespace are located. (Deen at col. 4, lines 35-44 and col. 11, lines 52-59). Deen does not describe, however, that the requested resources include a container within the server that contains administrative data about the server. (See, Office action at page 3, line 4). Accordingly, Deen does not teach "processing at the server the HTTP path name to retrieve the administrative data from the identified container of the server if the HTTP path name includes the identity of the container," in accordance with amended claim 4 (emphasis added).

Further, Applicant submits that McChesney does not supply the teachings missing from Deen. For example, with respect to FIG. 4a, McChesney describes a

server administrator 203 that receives a request from a client 105 for selected configuration information about a server 201. (McChesney at col. 8, lines 1-13). In McChesney, the server administrator 203 is persistent and external to the server 201 so that the server administrator 203 can manipulate and determine the information about the server 201 in response to the client request without invoking or starting up the server 201. (McChesney at Abstract and col. 8, lines 33-39).

Nowhere does McChesney describe an identified container within the server contains the information about the server. Accordingly, McChesney does not teach retrieving the information about the server "from the identified container of the server," in accordance with amended claim 4. Additionally, although McChesney describes manipulating/determining the information about the server (see, Office action at page 3, line 5), the manipulation/determination of the information about the server is performed external to the server by the server administrator and not within the server itself. Accordingly, McChesney does not teach "processing at the server the HTTP path name to retrieve the administrative data," in accordance with amended claim 4 (emphasis added). Moreover, because the external server administrator performs the manipulation/determination of the information about the server, McChesney does not teach or suggest "transmitting the administrative data from the server to the client," in accordance with amended claim 4 (emphasis added).

Applicant notes that the Office has the initial burden of establishing a factual basis to support the legal conclusion of obviousness. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). Further, for rejections under 35 U.S.C. § 103(a) based upon a combination of prior art elements, in *KSR Int'l v.*

*Teleflex Inc.*, 127 S.Ct. 1727, 1741, 82 USPQ2d 1385, 1396 (2007), the Supreme Court stated that "a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art." "Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006) (emphasis added).

Thus, even if Deen describes mapping a URL/namespace contained in an HTTP request to one or more physical locations where requested resources associated with the URL/namespace are located, and McChesney describes a server administrator that can manipulate/determine information about a server without invoking the server, neither Deen nor McChesney discloses a container within a server that contains administrative data about the server. Consequently, any logical combination of their disclosures cannot teach such a feature. More particularly, the combination of Deen and McChesney does not teach or suggest "processing at the server the HTTP path name to retrieve the administrative data from the identified container of the server if the HTTP path name includes the identity of the container," in accordance with amended claim 4. Accordingly, because the combination of Deen and McChesney does not teach or suggest all the claim limitations of claim 4, Applicant submits that claim 4 is patentable under 35 U.S.C. §103(a) over Deen and McChesney. (See, MPEP § 2143.03 providing that to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art, citing *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)). Therefore, Applicant respectfully requests that the

rejection under 35 U.S.C. §103(a) of claim 4, and of claims 5 and 6, which depend therefrom, be withdrawn.

Claims 7, 11-14 and 18

Claims 7, 11-14 and 18 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Deen in view of McChesney, as applied to claim 4, and further in view of U.S. Patent No. 6,327,608 to Dillingham ("Dillingham"). Applicant traverses the rejection.

For reasons analogous to those presented herein with respect to independent claim 4, Applicant submits that independent claims 11 and 18 are also patentable over Deen and McChesney, and that Dillingham does not supply, and is not purported to supply, the teachings missing from Deen and McChesney. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. §103(a) of claims 11 and 18 be withdrawn. Claims 12 and 13 were previously canceled in the Amendment filed on April 13, 2007, thereby rendering the rejection of claims 12 and 13 under 35 U.S.C. §103(a) moot.

Moreover, Applicant maintains that for at least the same reasons presented in the Amendment filed on April 13, 2007, Dillingham does not teach or suggest the feature of the server transmits an HTML page if a container is not identified within the HTTP path, in accordance with dependent claims 7 and 14. In particular, Applicant respectfully disagrees with the Office's suggestion that Dillingham, in teaching that a server returns an error message in an HTTP response to a client if a query path passed to the server via an HTTP request is not a real path within the physical directories of the file system, teaches the recited feature of claims 7 and 14.

(See, Office action at page 4, paragraph 3, citing Dillingham at col. 7, lines 61-63). In particular, the determination in Dillingham that results in the error message is based on whether the specified path exists in the physical file directory, and is not based on whether or not a container of the server is identified within the HTTP path, in accordance with claims 7 and 14. (See, Amendment filed on April 13, 2007, at page 12). Thus, Dillingham in combination with Deen and McChesney does not teach or suggest all the limitations of claims 7 and 14. Accordingly, Applicant submits that claims 7 and 14 are patentable under 35 U.S.C. §103(a) over Deen, McChesney and Dillingham, and respectfully requests that the rejection under 35 U.S.C. §103(a) of claims 7 and 14 be withdrawn.

Claims 8, 9, 15 and 16

Claims 8, 9, 15 and 16 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Deen in view of McChesney, as applied to claim 4, and further in view of U.S. Patent No. 5,999,943 to Nori et al. ("Nori"). Applicant traverses the rejection.

For at least the same reasons presented herein with respect to independent claims 4 and 11, Applicant submits that claims 8, 9, 15 and 16, which depend therefrom, are also patentable over Deen and McChesney, and that Nori does not supply, and is not purported to supply, the teachings missing from Deen and McChesney. Moreover, Nori describes a "snapshot-id," which pertains to a field of an in-memory locator that is constructed by a database server when a client requests a locator for a version of a large object (LOB) in the database. (See, Office action at page 5, citing Nori at col. 6, lines 60-63). Nori does not teach or suggest,

however, that administrative data about the server is a snapshot of prescribed values, in accordance with claims 8, 9, 15 and 16. Thus, Nori in combination with Deen and McChesney does not teach or suggest all the limitations of claims 8, 9, 15 and 16. Accordingly, Applicant submits that claims 8, 9, 15 and 16 are patentable under 35 U.S.C. §103(a) over Deen, McChesney and Nori, and respectfully requests that the rejection under 35 U.S.C. §103(a) of claims 8, 9, 15 and 16 be withdrawn.

Claims 10, 17, 19 and 20

Claims 10, 17, 19 and 20 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Deen in view of McChesney, as applied to claim 4, and further in view of U.S. Patent No. 6,622,170 to Harrison et al. ("Harrison"). Applicant traverses the rejection.

For at least the same reasons presented herein with respect to independent claims 4, 11 and 18, Applicant submits that claims 10, 17, 19 and 20, which depend therefrom, are also patentable over Deen and McChesney, and that Harrison does not supply, and is not purported to supply, the teachings missing from Deen and McChesney. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. §103(a) of claims 10, 17, 19 and 20 be withdrawn.

Claims 21-26

Claims 21-26 were added in the Amendment filed on April 13, 2007, but were not addressed by the Office in the Office action. For at least the same reasons presented herein with respect to independent claim 4, Applicant submits that claim 22, which depends therefrom, is also patentable over Deen and McChesney, and

that neither Dillingham, Nori and/or Harrison supplies, and is not purported to supply, the teachings missing from Deen and McChesney. Similarly, for reasons analogous to those presented herein with respect to independent claim 4, Applicant submits that independent claim 23, and claims 24-26, which depend therefrom, are also patentable over Deen and McChesney, and that neither Dillingham, Nori and/or Harrison supplies, and is not purported to supply, the teachings missing from Deen and McChesney. Additionally, as noted in the Remarks, claim 21 has been canceled.

### Conclusion

It is believed that this Amendment is accompanied by the required fee. However, if additional fees are required for any reason, please charge Deposit Account No. 02-4800 the necessary amount.

In the event that there are any questions concerning this paper, or the application in general, the Examiner is respectfully urged to telephone Applicant's undersigned representative so that prosecution of the application may be expedited.

Respectfully submitted,

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